

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

UNITED STATES OF AMERICA

v.

TRAEVON GRAY, *et al.*,

Defendants.

CASE No. 3:22-cr-00008

ORDER

JUDGE NORMAN K. MOON

Before the Court is Defendant Traevon Gray's unopposed motion to continue trial, Dkt. 31. The trial is currently scheduled for August 19, 2022. *See* Dkt. 23. Gray represents that he needs additional time to "conduct a thorough investigation in his own defense and/or to reach an agreement with the government," Dkt. 31 ¶ 3, explaining that "defense counsel has only recently received discovery from the government," *id.* ¶ 4. The Court also notes that Gray's co-defendant has not yet made his initial appearance. *Id.* ¶ 2.

The Speedy Trial Act generally requires that a criminal trial begin within seventy days of the filing of an information or indictment or the defendant's initial appearance.

18 U.S.C. § 3161(c)(1). The time required for various delays can be excluded from that timeframe, however, if the Court finds that "the ends of justice served by the granting of such continuance outweigh the best interests of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A).

Having considered the factors set forth in 18 U.S.C. § 3161(h)(7)(B), the Court finds that the ends of justice served by granting this continuance outweigh the best interest of the public

and the Defendant in a speedy trial. Specifically, the Court finds that failure to grant continuance “would deny counsel for the defendant . . . the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.” § 3161(h)(7)(B)(iv). And the Court considers that § 3161(h)(6) will likely be triggered once Gray’s codefendant makes his initial appearance.

Accordingly, the Court **GRANTS** Defendant’s unopposed motion to continue, Dkt. 31, and **ORDERS** that this matter be **CONTINUED** to November 14–16, 2022. The period between August 19, 2022, and November 14, 2022, will be excluded from the calculation of time under the Speedy Trial Act.

It is so **ORDERED**.

The Clerk of the Court is hereby directed to send a copy of this Order to the Defendant and all counsel of record.

ENTERED this ____ day of July 2022.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE